

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**WRITTEN RESPONSES TO QUESTIONS  
WITHOUT NOTICE**

**22 June to 27 July 2018**

**(Extract from book 10)**

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The Honourable LINDA DESSAU, AC

## **The Lieutenant-Governor**

The Honourable KEN LAY, AO, APM

## **The ministry**

(from 16 October 2017)

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Special Minister of State . . . . .	The Hon. G. Jennings, MLC
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Minister for Training and Skills, and Minister for Corrections . . . . .	The Hon. G. A. Tierney, MLC
Minister for Planning . . . . .	The Hon. R. W. Wynne, MP
Cabinet Secretary . . . . .	Ms M. Thomas, MP

### Legislative Council committees

**Privileges Committee** — Mr Dalidakis, Mr Mulino, Mr O’Sullivan, Mr Purcell, Mr Rich-Phillips, Ms Springle, Ms Symes and Ms Wooldridge.

**Procedure Committee** — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

### Legislative Council standing committees

**Standing Committee on the Economy and Infrastructure** — Mr Bourman, #Mr Davis, Ms Dunn, Mr Eideh, Mr Finn, Mr Gepp, Mr Leane, #Mr Melhem, Mr Ondarchie, Mr O’Sullivan and #Mr Rich-Phillips.

**Standing Committee on the Environment and Planning** — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, #Ms Dunn, Mr Elasmarr, Mr Melhem, Mr Mulino, #Mr Purcell, #Mr Ramsay, #Dr Ratnam, #Ms Symes, Ms Truong and Mr Young.

**Standing Committee on Legal and Social Issues** — #Ms Crozier, #Mr Elasmarr, Ms Fitzherbert, Mr Morris, Ms Patten, Mrs Peulich, #Dr Ratnam, #Mr Rich-Phillips, Ms Shing, Mr Somyurek, Ms Springle and Ms Symes.

# participating members

### Legislative Council select committees

**Port of Melbourne Select Committee** — Mr Mulino, Mr Ondarchie, Mr Purcell, Mr Rich-Phillips, Ms Shing and Ms Tierney.

**Fire Services Bill Select Committee** — Ms Lovell, Mr Melhem, Mr Mulino, Mr O’Sullivan, Mr Rich Phillips, Ms Shing and Mr Young.

### Joint committees

**Accountability and Oversight Committee** — (*Council*): Mr O’Sullivan, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Noonan and Ms Thomson.

**Dispute Resolution Committee** — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Ms Hutchins, Mr Merlino, Mr M. O’Brien, Mr Pakula and Mr Walsh.

**Economic, Education, Jobs and Skills Committee** — (*Council*): Mr Bourman, Mr Elasmarr and Mr Melhem. (*Assembly*): Mr Crisp, Mrs Fyffe, Ms Garrett and Ms Ryall.

**Electoral Matters Committee** — (*Council*): Ms Bath, Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon and Ms Spence.

**Environment, Natural Resources and Regional Development Committee** — (*Council*): Mr O’Sullivan, Mr Ramsay and Mr Young. (*Assembly*): Mr J. Bull, Ms Halfpenny, Mr Richardson and Mr Riordan.

**Family and Community Development Committee** — (*Council*): Dr Carling-Jenkins and Mr Finn. (*Assembly*): Ms Britnell, Ms Couzens, Mr Edbrooke, Ms Edwards and Ms McLeish.

**House Committee** — (*Council*): The President (*ex officio*), Mr Eideh, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

**Independent Broad-based Anti-corruption Commission Committee** — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O’Brien, Mr Richardson, Ms Thomson and Mr Wells.

**Law Reform, Road and Community Safety Committee** — (*Council*): Dr Carling-Jenkins and Mr Gepp. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

**Public Accounts and Estimates Committee** — (*Council*): Ms Patten, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O’Brien, Mr Pearson, Mr T. Smith and Ms Ward.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Ms Bath and Mr Dalla-Riva. (*Assembly*): Ms Blandthorn, Mr J. Bull, Mr Dimopoulos, Ms Kilkenny and Mr Pesutto.

### Heads of parliamentary departments

*Assembly* — Acting Clerk of the Legislative Assembly: Ms Bridget Noonan

*Council* — Acting Clerk of the Parliaments and Clerk of the Legislative Council: Mr A. Young

*Parliamentary Services* — Secretary: Mr P. Lochert

**MEMBERS OF THE LEGISLATIVE COUNCIL**  
**FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

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**Deputy President:**

Mr N. ELASMAR

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The Hon. J. L. PULFORD

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**Deputy Leader of the Opposition:**

The Hon. G. K. RICH-PHILLIPS

**Leader of The Nationals:**

Mr L. B. O'SULLIVAN

**Leader of the Greens:**

Dr S. RATNAM

Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John <sup>1</sup>	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina <sup>2</sup>	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFFP	O'Brien, Mr Daniel David <sup>8</sup>	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel <sup>3</sup>	Western Metropolitan	AC	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	O'Sullivan, Mr Luke Bartholomew <sup>9</sup>	Northern Victoria	Nats
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Patten, Ms Fiona <sup>10</sup>	Northern Metropolitan	RV
Davis, Mr David McLean	Southern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Drum, Mr Damian Kevin <sup>4</sup>	Northern Victoria	Nats	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Pulford, Ms Jaala Lee	Western Victoria	ALP
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Purcell, Mr James	Western Victoria	VILJ
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ratnam, Dr Samantha Shantini <sup>11</sup>	Northern Metropolitan	Greens
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Gepp, Mr Mark <sup>5</sup>	Northern Victoria	ALP	Shing, Ms Harriet	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred <sup>7</sup>	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Herbert, Mr Steven Ralph <sup>6</sup>	Northern Victoria	ALP	Springle, Ms Nina	South Eastern Metropolitan	Greens
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Symes, Ms Jaclyn	Northern Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Truong, Ms Huong <sup>12</sup>	Western Metropolitan	Greens
Melhem, Mr Cesar	Western Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
			Young, Mr Daniel	Northern Victoria	SFFP

<sup>1</sup> Resigned 28 September 2017

<sup>2</sup> Appointed 15 April 2015

<sup>3</sup> DLP until 26 June 2017

<sup>4</sup> Resigned 27 May 2016

<sup>5</sup> Appointed 7 June 2017

<sup>6</sup> Resigned 6 April 2017

<sup>7</sup> Resigned 9 February 2018

<sup>8</sup> Resigned 25 February 2015

<sup>9</sup> Appointed 12 October 2016

<sup>10</sup> ASP until 16 January 2018

<sup>11</sup> Appointed 18 October 2017

<sup>12</sup> Appointed 21 February 2018

**PARTY ABBREVIATIONS**

AC — Australian Conservatives; ALP — Labor Party; ASP — Australian Sex Party;  
DLP — Democratic Labour Party; Greens — Australian Greens;  
LP — Liberal Party; Nats — The Nationals; RV — Reason Victoria  
SFFP — Shooters, Fishers and Farmers Party; VILJ — Vote 1 Local Jobs



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**WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE**

*Responses have been incorporated in the form provided to Hansard and received in the period shown.*

**25 June to 27 July 2018**

**Recycling industry**

**Question asked by:** Ms Truong  
**Directed to:** Special Minister of State  
**Asked on:** 21 June 2018

**RESPONSE:**

The Minister for Energy, Environment and Climate Change released the Recycling Industry Strategic Plan on 3 July 2018. This plan sets out the Andrews Labor Government's vision for a safe, resilient and efficient recycling system in Victoria.

The strategic plan responds to recent disruptions to international recycling markets and maps out a set of complementary actions for consumers, industry and each level of government to make Victoria's recycling sector stronger and more stable.

The strategic plan can be found online at:  
<https://www.environment.vic.gov.au/sustainability/victorians-urged-to-keep-recycling>

The Andrews Labor Government has provided \$37 million from the Sustainability Fund to deliver the strategic plan, bringing our total investment in waste and resource recovery initiatives to more than \$100 million over the last four years. This is the largest ever investment by a Victorian Government in the waste and resource recovery sector.

This funding includes \$13 million to help councils and industry to continue kerbside collections and fast track infrastructure upgrades. Seventy-eight out of seventy-nine Victorian councils signed funding agreements to obtain this financial assistance, based on a fixed rate per tonne.

Support has also been provided to industry to transition to new operating requirements. The Recycling Industry Transition Support (RITS) grants offered \$1 million dollars to encourage Victoria's resource recovery sector to improve its capability and capacity to recover and reprocess plastics, paper and cardboard waste to a commercial grade, to increase supply to local and international markets. Round 1 of the RITS grants received a high level of interest from industry, an announcement of successful recipients for Round 1 will be made shortly.

Funding to councils and private enterprise, including recycling industry, includes the \$15.84 million for the Resource Recovery Infrastructure Fund. The Fund began in 2017 and two funding rounds have awarded 27 infrastructure projects in metropolitan Melbourne and regional Victoria with over \$9 million to date. In mid-2017 14 projects in metropolitan Melbourne received \$5.1 million between them for new and improved waste and resource recovery infrastructure for the collection, sorting and processing of materials. On 18 June 2018 \$4.2 million in funding for the 13 Round 2 recipients in regional Victoria was announced and Round 3 opened for applications closing 31 July 2018. A further \$8.3 million boost to RRIF to improve the quality of recycled materials has been allocated from the Recycling Industry Strategic Plan.

The strategic plan was developed through targeted engagement with the recycling industry, manufacturers, local government, environment groups and research organisations. It was also informed by the views of the community and stakeholders who have taken part in ongoing engagement on waste and recycling matters.

**Victoria Police rural resources**

**Question asked by:** Mr Bourman  
**Directed to:** Minister for Corrections  
**Asked on:** 22 June 2018

**RESPONSE:****RESPONSE TO SUBSTANTIVE QUESTION:**

As the member will be aware, the deployment of police resources is appropriately a matter for the Chief Commissioner of Police, as determined by the Staff Allocation Model. The Model maximises the efficiency of police resourcing by assessing demand and allocating resources. Accordingly, police officers are assigned and transferred within divisions by local command based on operational need.

Many Victorian communities can look forward to seeing an increased police presence in their area with the roll out of additional police across the state. Commencing in May, Victoria Police will deploy a total of 825 additional police officers during 2018-19. This boost in resources is funded as part of the Government's \$2 billion investment in police under the Community Safety Statement 2017.

A significant number of these new police officers will be allocated to regional and rural communities. This additional capacity will see more police in regional police stations working to prevent livestock theft and keep rural communities safe.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

I reiterate my earlier statement that the deployment of police resources is appropriately a matter for the Chief Commissioner of Police.

Victoria Police works closely with farmers throughout the state to encourage the reporting of livestock and farm-related thefts. It has invested in both specialist resources and general police resources to tackle this type of crime.

As the member may be aware, the Livestock and Farm Crime Specialists Group, comprising Agricultural Liaison Officers (AGLOs), was established following a 2011 review of farm crime by Victoria Police's Crime Command.

The AGLOs operate under the Crime Command Specialist Community of Practice framework enabling a localised response in contrast to a centralised taskforce model.

The AGLOs investigate all farm offences and have other policing duties, however they have been trained in and maintain their professional experience through ongoing education and conferences on thefts and trends in the livestock industry. Where there has been a theft of livestock or specific rural crime in their area, the AGLOs manage, are consulted on, or oversee, the investigation. They also offer a range of proactive crime prevention strategies.

As at 25 June 2018, there were 80 AGLOs stationed in the four police regions across Victoria.

Victoria Police is currently undertaking a review into the role of AGLOs. The findings, conclusions and recommendations of the review will be provided to the Specialist Community of Practice within Crime Command for consideration and appropriate action.

**Native forest timber exports**

**Question asked by:** Ms Dunn  
**Directed to:** Minister for Agriculture  
**Asked on:** 22 June 2018

**RESPONSE TO SUPPLEMENTARY QUESTION:**

VicForests advises that for 2017/18 exports will be between 15 000-20 000 m3 and only mixed species. These exports are of lower quality log, provided on short term contracts after having first been offered to the domestic market. This export material is a by-product of harvesting operations for higher quality sawlog production that is required for local mills.

**Pill testing**

**Question asked by:** Ms Springle  
**Directed to:** Minister for Families and Children  
**Asked on:** 22 June 2018

**RESPONSE:**

I am advised that:

The Andrews Labor Government has no current plans to trial pill testing at public events.

The government provides almost \$20 million each year to support a number of evidence-based harm reduction activities, which are designed to reduce the harm to people who currently use alcohol and other drugs. This includes Harm Reduction Victoria's Dancewize program and a range of overdose prevention initiatives.

We will continue working to reduce the harm drugs cause in communities across Victoria. We will also carefully monitor developments in other Australian jurisdictions and overseas.

**Corrections Victoria**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 22 June 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

To move staff from four standalone buildings and co-locate them at 50 Franklin Street is expected to cost approximately \$45 000.

**Latrobe Valley Authority**

**Question asked by:** Ms Bath  
**Directed to:** Special Minister of State  
**Asked on:** 22 June 2018

**RESPONSE:**

As the member would be aware, the 2016 announcement by French energy company, Engie, to close the Hazelwood power plant and mine was gut wrenching news for Hazelwood workers, their families and the wider Latrobe Valley community.

The Victorian Labor Government took decisive action to stand with these workers and their families. The Andrews Labor Government committed \$20 million to fund the establishment of a dedicated Latrobe Valley

Authority (LVA) to lead the Government's response and manage the transition and the future economic development of the Latrobe Valley.

In 2017, the LVA's purview was expanded to support the workers of Carter Holt Harvey's Morwell Mill. The LVA acts as a one stop shop for workers to access support services.

At July 6, the LVA there were 30 full-time equivalent LVA staff based in Morwell working to support Latrobe Valley businesses, affected workers and community members. In addition, the Morwell office hosts staff from a number of complementary programs such as the Industry Capability Network.

The LVA is an administrative office of the Department of Premier and Cabinet. Its Morwell-based staff are supported by a small team of DPC-based staff in Melbourne who help to coordinate and work with partners to benefit the Latrobe Valley community.

The role recently advertised arose due to an existing Melbourne-based position being vacated. The LVA is committed to supporting local people and employment as well as attracting the best possible talent to achieve outcomes for the community.

Our Labor Government said we'd support the Latrobe Valley and that's exactly what we're doing — by creating jobs, assisting local businesses and driving economic growth.

### **Caretaker government conventions**

**Question asked by:** Mr Rich-Phillips  
**Directed to:** Special Minister of State  
**Asked on:** 22 June 2018

#### **RESPONSE:**

The requirements for the handling of Cabinet documents during the caretaker period remain stringent. Slight amendments have been made to the guidance issued for the previous election which have the effect of permitting agencies to retain hard copy Cabinet documents during the caretaker period, subject to them being securely stored in accordance with advice from the Department of Premier and Cabinet. The previous position was that all Cabinet documents were required to be physically returned to the custody of the Cabinet Secretariat for storage until the result of the election was known.

The Secretary of the Department of Premier and Cabinet remains the custodian of all Cabinet documents during the caretaker period, and will make arrangements for Cabinet documents to be transferred directly to the Public Record Office Victoria in the event of a change of government.

The changes were made to:

- align Victoria with the practice of other jurisdictions, including the Commonwealth, Queensland and South Australia;
- acknowledge the appropriate handling practices required where Cabinet records are increasingly digital; and
- reduce double handling, improve security and save costs by eliminating physical transport of documents.

### **Prisoner release**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

One.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Information about offenders is shared between Corrections Victoria and the Adult Parole Board. Information regarding an offender's offences is entered by Corrections Victoria staff and is updated if required throughout a prisoner's sentence.

If there is uncertainty regarding the categorisation of appropriate offences, referrals can be made to Corrections Victoria who provide a central support and clarification role where required, including whether the offences constitute categorisation as a serious violent offender. Since 2015, changes have been made to Corrections Victoria information systems to reduce reliance on manual processes for flagging serious violent offenders.

These were changes that the former Coalition failed to implement. As a result the parole system was broken and the community was put at risk.

Under Labor, Victoria's parole system is working effectively and efficiently with community safety as its primary focus.

Since we came to office, there has been a 92% reduction in the number of parolees convicted of committing serious offences.

In 2013/14, 60 persons were convicted on serious offences committed while on parole.

In 2016/17, that number has dropped to five.

**Prisoner release**

**Question asked by:** Ms Lovell  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

Prison lockdowns occur for a variety of reasons including to facilitate responses to incidents, staff training, whole-of-prison staff briefings and severe weather conditions. Prisons record all lockdowns that occur during their approved operating hours (or 'out-of-cell hours'), but it is not clear what is meant by 'extended lockdowns'.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Under the Corrections Act, Emergency Management Days may be granted where prisoners suffer disruption or deprivation during an emergency, industrial dispute or in other unforeseen circumstances, rather than on account of lockdowns of any particular length.

**Prisoner release**

**Question asked by:** Mr Finn  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

Emergency management days (EMDs) may be granted to a prisoner(s) by the Secretary of the Department of Justice and Regulation or his delegate in accordance with Section 58E of the Corrections Act 1986 and Corrections Regulations 2009.

The number of EMDs which can be applied will vary depending on the circumstances and extent of the disruption or deprivation experienced by prisoners, but cannot exceed four days per day or part-day on which the industrial dispute or emergency exists.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

On 19 December 2017, four prisoners were unlawfully released as a result of an administrative error in the processing of EMD approvals, where more EMDs were applied than had been approved.

The error was identified on the same day and acted on immediately with notification to Victoria Police to arrange the re-arrest of the prisoners.

**Prisoner release**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

The unlawful release of the prisoner earlier this year was referred to the Justice Assurance and Review Office to consider whether any additional actions were required. The Justice Assurance and Review Office found that the various remedial actions underway by Corrections Victoria to address the risks and issues identified by this and previous unlawful releases were satisfactory, and as a result made no further recommendations.

**Prisoner transport**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Prisoner Transport Order System (PTOS) implementation was completed on 14 November 2017 across Corrections, Police, Youth Justice and transport contractor (G4S).

The reporting component, PTOS-BI (Business Intelligence), is outstanding; however, this has no impact on prisoner transport itself

The initial amount set aside under the former government was inadequate, and failed to take into account the complexity of the system requirements needed for the growing system. The increase in cost was not related to the reporting function.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

Once again the former Minister is incorrect. The Knowledge Information & Technology Services is internal to the Department of Justice and Regulation.

**VicRoads tender process**

**Question asked by:** Mr Morris  
**Directed to:** Minister for Agriculture  
**Asked on:** 24 July 2018

**RESPONSE:**

The works referred to, are part of the Towards Zero 2016-2020 Road Safety Strategy which is the most ambitious action plan in Victoria's road safety history. This bold plan maps out how Victorian road safety partners will work towards a 20% reduction in deaths and 15% reduction in serious injuries in five years.

The tendering provisions for 'public construction' do not apply where VicRoads opts to deliver work itself through an internal business unit such as Sprayline Road Services (which is not a separate legal entity from VicRoads) rather than tender that work to the market.

A Service Level Agreement (SLA) was used to internally engage VicRoads Sprayline Road Services. This was due to the safety benefits being realised for country Victorians by early commencement of works and to ensure quality assurance and safety requirements were met.

From a value for money perspective for the state, in this case, highly capable internal resources had the capacity to provide high quality outcomes at a competitive price.

VicRoads met with and is in regular contact, regarding these matters, with the Roadmarking Industry Association of Australia.

### **Child abuse national redress scheme**

**Question asked by:** Ms Springle  
**Directed to:** Minister for Corrections  
**Asked on:** 24 July 2018

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

Relevant prior payments are payments made by or on behalf of a responsible institution in recognition of the harm caused by abuse for which the institution is responsible, or in recognition of such abuse itself. In accordance with recommendations made by the Royal Commission, the Scheme will be deducting relevant prior payments made by or on behalf of responsible institutions from those institutions' liability under the Scheme. This is to reflect the fact that some institutions have already paid some monetary redress to survivors.

The Scheme will not deduct payments provided to support access to counselling and psychological services, or routine payments of treatment, or other expenses like medical or dental bills.

The Government will allocate \$600 million over the next ten years towards redress, ensuring that thousands of survivors of institutional child sexual abuse in government institutions can access financial payments, as well as counselling and a direct response from the organisation responsible for their abuse.

This represents an important step forward for Victorian survivors of institutional child sexual abuse who have been waiting a long time for a national response to redress.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

In accordance with the recommendations of the Royal Commission, relevant prior payments will be adjusted for inflation to account for changes in the value of money over time. The Scheme will calculate how much the amount of a prior payment would be worth in today's dollars if it was paid today, not how much the payment would be worth if it was put in a bank account from when it was paid until today. The Scheme will be using a flat inflation rate of 1.9 per cent per annum when adjusting prior payments for inflation. This represents the average rate of inflation over the lifetime of the Royal Commission. The alternative approach of adjusting relevant payments by CPI would generally have resulted in a higher indexation rate in most cases, resulting in even lower payments available to survivors.

**Brauer College**

**Question asked by:** Mr Purcell  
**Directed to:** Minister for Training and Skills  
**Asked on:** 25 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Andrews Government is committed to growing educational opportunities for all Victorians. We have invested more than \$3.8 billion to improve classrooms, upgrade facilities and build new schools across the State. This school building boom has delivered more than 1300 school upgrades and 70 new school projects across the State.

This involves addressing surplus buildings at schools allowing schools to mitigate health and safety risks posed by over entitled facilities that are in poor condition and in some cases, obsolete. All school facilities used for curriculum purposes receive some maintenance funding, and reductions in over entitled facilities enables schools such as Brauer College to direct more funding towards entitled facilities.

The Andrews Labor Government has provided \$4.6 million to upgrade school infrastructure across Brauer Secondary College. This is in contrast to the previous Liberal Government, which did not invest a single dollar towards capital funding at the college.

Furthermore, the Andrews Government has invested \$48 million in the South West Coast electorate compared to just \$7 million under the Liberal Government, and in the Warrnambool LGA, \$33.6 million has been invested under Labor compared to a measly \$1 million under the Liberals.

I am advised that the upgrade is being designed to enrolments of 850 students and that this allows for some growth into the future compared to their current enrolments of 726 in the current 2018 school year.

**RESPONSE TO SUPPLEMENTARY QUESTION:**

The proposed capital works program at Brauer College originally included the demolition of five buildings. These buildings have been assessed to be in very poor condition, including the current Block E (classrooms), Tech Building, Wellbeing Centre Building, VCE Common Room Building and a Games Room Building.

However, further discussions with the school have occurred. The school has asked that the Table Tennis Room and the VCE Common Room be retained and the Victorian School Building Authority is working with the school and the relevant design team with the aim of retaining these two buildings. The Doctors in Secondary Schools Program has its own purpose-built relocatable building and will not be affected by the removal of those buildings identified for demolition.

**Asylum seeker support**

**Question asked by:** Ms Springle  
**Directed to:** Special Minister of State  
**Asked on:** 25 July 2018

**RESPONSE TO SUBSTANTIVE QUESTION:**

The Andrews Labor Government has a proven track record of stepping up and supporting asylum seekers when the Commonwealth abdicates its responsibility to protect vulnerable people. The government is concerned about continued service restrictions for community-based asylum seekers, including recent changes to Status Resolution Support Services (SRSS) eligibility. We are also concerned about the lack of Commonwealth support for asylum seekers who are not found to be owed protection but remain in the community — especially since they are principally responsible for policy in relation to asylum seekers.

The Commonwealth has not provided State-level data through the Department of Home Affairs. The Commonwealth is currently re-assessing the eligibility of existing SRSS clients to determine if they meet the vulnerability criteria to remain on SRSS.



Where possible the Andrews Labor Government provides supports for asylum seekers through state-funded initiatives and support services.

In the Victorian Budget 2016/17, the Andrews Labor Government allocated an additional \$38.3 million over five years to specifically benefit refugees and asylum seekers across the multicultural affairs, health and education portfolios, to:

- support a coordinated, integrated and early intervention approach to the settlement of refugees and asylum seekers across Victoria;
- meet the priority health and welfare needs of new arrivals; and
- improve educational outcomes of refugees, asylum seeker and migrant young people.

In addition, in September 2017, the Andrews Labor Government announced a \$600 000 package to assist around 100 asylum seekers that the Commonwealth Liberal Government suddenly ceased supporting. The funding package was developed in response to the Commonwealth's proposed withdrawal of income and housing support for asylum seekers transferred to Victoria from offshore detention centres for medical treatment. This funding met some of the critical needs of this group of asylum seekers, including accommodation, food, clothes, Myki cards, medicines and other direct service needs.

### **Firearm statistics**

**Question asked by:** Mr Bourman  
**Directed to:** Minister for Corrections  
**Asked on:** 25 July 2018

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

Similar to the then Minister's response provided on 4 August 2015, crime statistics data on the different types of shotguns used in crime is not kept. However, I am able to advise that from April 2013 to March 2018 there were 545 recorded crimes against the person where shotguns were recorded by police.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

Victoria Police advises for the purposes of recording a crime against the person in its Law Enforcement Assistance Program (LEAP), police record the type of force and how it was used. For firearms, the current options in LEAP are:

- Handgun;
- Imitation firearm;
- Machine gun;
- Rifle;
- Sawn off rifle;
- Shotgun; and
- Other firearm.

I am further advised that these options reflect the broad categories that may be important for operational reasons or intelligence trends. Victoria Police advises that, if required, further information may be reported in its case management and intelligence management system, Interpose, or LEAP narrative. However, those narratives are not examined for the purposes of crime statistics reporting.

### Youth justice system

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 25 July 2018

**RESPONSE:**

I am advised that:

I absolutely reject the premise of your question and there are a number of assertions you make that are incorrect. The rooms at the Grevillea Unit contained standard temperature and amenities, including power, water, hygiene facilities and lighting. Further amenities were provided where appropriate, such as additional blankets where young people identified they were cold.

There were no punishment rooms at Grevillea and there are no punishment rooms within any Youth Justice Centres in Victoria. The *Children, Youth and Families Act 2005* provides clear direction that isolation must not be used as a punishment. It prohibits the use of restrictive practices, including isolation, unless there is an immediate risk that a young person will harm themselves or others, cause damage to property, or it is in the interest of the security of the centre.

All staff receive training on their responsibilities under this legislation. Isolation must be used only as a last resort, not as a punishment, and the processes for recording and observation of young people in isolation, particularly Aboriginal children and young people, must be strictly observed.

As part of the Government's commitment to transparency, the youth justice system is held accountable through a range of oversight and monitoring processes, including regular visits to the precincts by the Victorian Ombudsman and the Office of the Commissioner for Children and Young People (CCYP).

Following over Government's legislative reforms the department must report on the use of isolation and provides quarterly reports of the number of individual episodes of isolation experienced by young people, as well as all Category 1 incidents to the CCYP. This is in stark contrast to the previous Minister, Ms Wooldridge, who changed the reporting system and reduced public visibility of critical incidents and created a culture of underreporting within the youth justice system.

The use of Grevillea Unit as a youth justice centre was a temporary measure due unprecedented circumstances. In November 2016, a series of incidents occurred at Parkville Youth Justice Precinct resulting in extensive damage to units and the loss of secure accommodation. Four accommodation units with a total of 60 beds plus programs facilities were rendered unusable. This significantly reduced capacity to accommodate young people at Parkville.

The Government repaired and strengthened the Parkville site as a priority so that the young people could be safely and securely returned the Parkville facility as soon as possible.

The Government recognised the critical need to provide young people in youth justice with health and mental health services, including for young people accommodated at Grevillea. Young people had access to a Registered Psychiatric Nurse (RPN) at all times. A Registered Nurse was available three days a week, medical officers were available two days a week, psychiatric services were available on demand by referral, and in the event that urgent medical care was required, young people were reviewed by the on-site health staff, with an ambulance called if required.

As well, educational services were introduced following the development of a memorandum of understanding between the Department of Health and Human Services, and the Department of Education and Training. Classes were subsequently provided on the unit, with Parkville College providing 25 hours of education per week.

The Victorian Government took decisive action to set up the Grevillea Youth Justice Centre as temporary youth justice facility to urgently accommodate the young people in the system for their own safety, and that of staff and the community. I make no apology for what the Government did in establishing the Grevillea Unit.

**Minister for Small Business**

**Question asked by:** Mr Ondarchie  
**Directed to:** Minister for Small Business  
**Asked on:** 25 July 2018

**RESPONSE TO SUPPLEMENTARY QUESTION:**

I stand by the answer I gave in response to the question raised in the House yesterday.

**FURTHER RESPONSE:**

I still stand by the answer I gave in response to the question raised in the House yesterday.

**Youth justice system**

**Question asked by:** Ms Crozier  
**Directed to:** Minister for Families and Children  
**Asked on:** 26 July 2018

**RESPONSE:**

I am advised that:

The safety and security of Victoria's Youth Justice system is of the utmost importance to the Andrews Labor Government. To ensure the safety of staff, young people and the broader community it is essential that confidential information relating to security arrangements in Youth Justice is strictly controlled. Accordingly, I cannot provide you with detailed information on the processes and considerations for the placement of young people within youth justice centres.

What I can say is that the use of a double room to room share two young people has been a long standing accommodation option available in Youth Justice custodial centres under successive governments, including the previous Liberal government. Room sharing forms a small proportion of the available accommodation options within Youth Justice, but an important one.

Room sharing may assist young people to adjust to custody and/or improve their welfare and behaviour, and reduce risks of self-harm. For Aboriginal young people, the Aboriginal Deaths in Custody report found that room sharing can positively contribute to an Aboriginal young person's safety in custody and where appropriate should be encouraged as a positive cultural support mechanism.

As the member would be well aware, references I have made to "double bunking" in the past were in the context of the Government's response to a series of unprecedented incidents at Parkville Youth Justice Precinct in November 2016, which resulted in four accommodation units with a total of 60 beds plus programs facilities rendered unusable. This significantly reduced capacity to accommodate young people at Parkville.

The Victorian Government took decisive action to set up the Grevillea Youth Justice Centre as temporary Youth Justice facility to urgently accommodate the young people in the system for their own safety, and that of staff and the community. Based on your line of questioning on this matter, I can only assume that you support the Human Rights Law Centre's position and would have adopted mass double bunking of young people across the Youth Justice system.

We are constantly reviewing our systems and processes and acting on expert advice to ensure they respond to the changing demands and complexity within the system and provide appropriate levels of safety and security. This contrasts with the previous Minister, Ms Wooldridge, who ignored the Ombudsman's 2010 recommendation on the suitability of Parkville Youth Justice Precinct and shelved a masterplan.

As part of the Government's initial investment of \$50 million in response to the landmark Armytage and Ogloff *Youth Justice Review*, a new Custodial Classification and Placement service has been implemented in early 2018,

which oversees decisions about the placement of young people across the system and complements existing room sharing suitability processes.

To further support the effective management of young people, a new custodial operating model is currently being developed.

The Government has also invested in an improved intelligence gathering function across both Youth Justice precincts to allow for greater information collection, which will assist to prevent incidents in custody.

### **Prison capacity**

**Question asked by:** Mr O'Donohue  
**Directed to:** Minister for Corrections  
**Asked on:** 26 July 2018

#### **RESPONSE TO SUBSTANTIVE QUESTION:**

Corrections Victoria has advised that it is not aware of any instances of prisoners being released back into the community as asserted. Corrections Victoria is working closely with Victoria Police to manage the numbers to ensure that capacity is available.

#### **RESPONSE TO SUPPLEMENTARY QUESTION:**

Funding has been provided to commission 473 additional male prisoner beds within current facilities, which will be opened progressively over the coming weeks and months to manage growth in Victoria's prison population.

This includes 71 beds that are due to be opened next week and further beds over the coming months.

An additional 24 beds have already been introduced across the women's prison system, with further beds scheduled to come online at the Dame Phyllis Frost Centre in coming weeks.

### **Minister for Small Business**

**Question asked by:** Ms Wooldridge  
**Directed to:** Special Minister of State  
**Asked on:** 26 July 2018

#### **RESPONSE:**

Ministers are subject to the Ministerial Code, which seeks to avoid an actual or perceived conflict of interest. The key principle to be protected is that Ministers should not engage in fundraising activities where the soliciting of funds may be perceived to be for the purposes of influencing a decision of a Minister.

Within this context I also note the comments of the President yesterday, where he acknowledged that all MPs engage in fundraising activities and it is not the intent of the Ministerial Code to prevent this where the funds are to support their party or candidates.

In this case it is recognised that the use of EFTPOS was an innovative way to allow cost effective and transparent transfer of donations rather than the instrument of requesting (and therefore soliciting) of funds. It has been the novelty of this payment method which has drawn attention to itself.

An examination of this matter does not reach a threshold of further action being pursued under the Ministerial Code, however I am assured that this sort of fundraising will not be undertaken personally by Ministers into the future.